

**U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Memorandum of Understanding**

Operational Review Self-Assessment

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish an agreement between ICE and the Fairfax County Sheriff's Office (the Service Provider) for an Operational Review Self-Assessment (ORSA) of the detention and care of persons detained under the authority of the Immigration and Nationality Act, as amended.

II. Background

In accordance with contractual obligations, the Service Provider is required to house detainees and perform related detention services in accordance with the governing ICE detention standards found in the *ICE Detention Operations Manual*. A copy of the manual is available on-line at www.ice.gov/detention-standards/2000/.

To ensure the proper custody and care of its detainees, ICE and its designated contractor may conduct periodic reviews of the facility to ensure compliance with applicable ICE detention standards. ICE Enforcement and Removal Operations (ERO) agrees to provide training, inspection tools, and interpretation of ICE standards to the Service Provider to assist with facility compliance. ERO further agrees to provide feedback to the Service Provider if compliance issues are encountered during periodic visits to the facility.

III. Operational Review Self-Assessment

The Service Provider shall complete an annual ORSA review and certify to the ERO Field Office Director that the facility is in compliance with the ICE detention standards as outlined on the applicable form G-324. The Service Provider shall also certify to the Field Office Director that facility personnel have completed all training required by the Service Provider's own policy manual, quality control program, and/or ICE/USMS Inter-Governmental Service Agreement, whichever are applicable.

The Service Provider agrees to comply with all internal policies and procedures regarding sexual abuse, assault, prevention and intervention. The Service Provider also agrees to strictly adhere to their policy titled Sexual Assault (SOP 455) which addresses and complies with the provisions set forth in the Prison Rape Elimination Act of 2003. Furthermore, the Service Provider also agrees to notify the ICE Washington Field Office of any inmates, held on an ICE detainer only, that complain of any sexual misconduct. Sexual misconduct notifications to ICE will be made within 2 hours upon receiving the complaint.

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The Service Provider will forward the completed form G-324 and copies of any detention certifications, accreditations and USMS or local inspections to the Field Office Director no later than December 31, 2012, and no later than August 1 of each year thereafter.

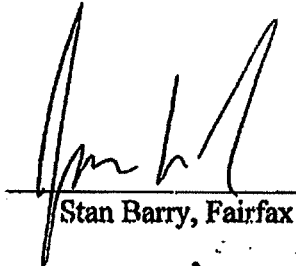
The Field Office Director will review and forward the assessment to Headquarters Detention Management to request corrective actions if necessary. If a mutual agreement for corrective actions cannot be achieved, then the Field Office Director may make a recommendation to stop the ORSA process. Headquarters Detention Management will then notify the field office if it concurs or does not concur with the recommendation.

IV. Modification/Cancellation

The parties acknowledge that this MOU is subject to modification or cancellation if circumstances mandate.

V. Approval

The terms of this MOU are agreed upon by the parties on 8-16-12.
(Date)


for:
Stan Barry, Fairfax County Sheriff


Leonard DeSanti
Deputy Field Office Director
(Name/Title/Field Office)

Attachment(s):

- Policy Guidelines
- Form G-324-B or G-324-O
- Form G-324 SIS ORSA Worksheet